



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Yoshinori TAKEUCHI et al.

Serial No.: 09/963,588

Filed: September 27, 2001

For: SINGLE-ELEMENT OPTICAL WAVELENGTH BANDPASS
FILTER FORMED IN OPTICAL FIBER OR OPTICAL
WAVEGUIDE AND METHOD OF MANUFACTURE THEREOF

Group Art Unit:

Examiner: CUSHWA

TECHNOLOGY CENTER 2800.

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DEP. ACCT. 16-0331
PARKHURST & WENDEL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The Examiner in charge of the above-identified application telephoned applicants' representatives on June 10, 2003, to communicate a Restriction Requirement under 35 U.S.C. §121 among Group I, claims 1-14 and Group II, claim 15.

In response to that requirement, applicants' undersigned representative made a provisional election during a telephone conference with the Examiner on June 12, 2003 to prosecute the invention of Group I (i.e., claims 1-14) in this application.

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Applicants' undersigned representative hereby confirms that this provisional election was made with traverse, since no adequate basis therefor has yet been stated in the record.

Search and examination of the entire application can be made without serious burden. See MPEP §803 which states that "[i]f the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits." This policy should apply in the present application to avoid unnecessary delay and expense to applicants and unnecessary duplicative examination by the USPTO.

Respectfully submitted,

PARKHURST & WENDEL, L.L.P.



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Registration No. 25,177
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June 12, 2003

Date

RWP:RNW/mhs

Attorney Docket No.: PADE:063

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